

TESTIMONY  
OF  
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**Introduction:**

My name is Bill Durand and I am the Executive Vice President and Chief Legal Counsel for the New England Cable & Telecommunications Association, Inc., otherwise known as NECTA. NECTA represents substantially all cable television operating and programming companies that serve Connecticut and the other five states in the region. NECTA respectfully submits testimony in opposition to Raised Bill 5463.

This bill would mandate that the Department of Public Utility Control biennially conduct a performance review of each person, entity or company holding a certificate of public convenience and necessity to provide community antenna television service, a certificate of cable franchise authority or a certificate of video franchise authority to ensure compliance with the terms and conditions of each such certificate as applicable. The performance review may include, but not be limited to, issues concerning customer service, community access support, management of outages, service to handicapped and low-income customers and cooperation with the department.

**Argument:**

The Connecticut video marketplace is highly competitive, with residents able to choose from a number of providers, including cable operators, satellite providers and telephone companies. In order to retain and add customers, companies must

offer quality products and services. In this competitive environment it makes no sense to require the DPUC to conduct a biennial performance review. Such a review wastes government resources, at a time when the state faces a huge budget deficit and in light of the number of video providers in the state. The review also places a financial burden on companies that are the subject of the review; this money is better spent on investing in infrastructure and other new and advanced services for customers. The DPUC already has the authority to conduct a performance review if it believes it is necessary. As the regulatory entity, the DPUC is in a position to judge whether circumstances warrant such a review. Mandating a review every two years, when it may not be required, is unnecessary.

**Conclusion:**

While well intentioned, Raised Bill 5463 places an unnecessary burden on the DPUC, video providers, and ultimately would have a negative impact on consumers.

NECTA respectfully submits this testimony in opposition to this legislation.

Monday, March 8, 2010

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